

EXHIBIT #2
DATE 3/23/15
HB 603

Amendments to House Bill No. 603
1st Reading Copy

Requested by Representative Willis Curdy

For the House Transportation Committee

Prepared by Dave Bohyer
March 23, 2015 (11:20am)

1. Title, line 5.

Following: "HIGHWAYS;"

Insert: "REVISING FINES FOR SPEEDING VIOLATIONS;"

2. Title, line 6.

Following: "61-8-303"

Insert: "AND 61-8-725"

3. Page 2.

Following: line 2

Insert: "Section 2. Section 61-8-725, MCA, is amended to read:

"61-8-725. Penalty for violation of speed limits -- no record for certain violations. (1) A person ~~violating the speed limit imposed pursuant to 61-8-303~~ shall be fined for violating the maximum speed limit in accordance with the following ~~schedule~~ schedules:

(a) for a violation of 61-8-303(1)(a):

Amount of Fine MPH in Excess of Speed Limit

\$ 20 1 - 5 (daytime)

20 1 - 5 (nighttime)

70 6 - 15

120 16 - 25

200 26+

(b) for a violation of 61-8-303(1)(b), 61-8-309, or 61-8-312:

Amount of Fine MPH in Excess of Speed Limit

\$ 20 1 - 10 (daytime)

20 1 - 10 (nighttime)

40 70 11 - 20

70 120 21 - 30

100 200 31+

(2) (a) A violation of a speed limit imposed pursuant to 61-8-303 is not a criminal offense within the meaning of 3-1-317, 45-2-101, 46-18-236, 61-8-104, and 61-8-711 and, except as provided in subsection (2)(b) or (4), may not be recorded or charged against a driver's record, and an insurance company may not hold a violation of a speed limit against the insured or increase premiums because of the violation if the speed limit is exceeded by no more than:

~~(a)~~ (i) 10 miles an hour, during the daytime; or

~~(b)~~ (ii) 5 miles an hour during the nighttime.

(b) If a driver is guilty of exceeding 85 miles per hour in violation of 61-8-303(1)(a), the violation may be recorded or charged against a driver's record and an insurance company may hold the violation against an insured driver's premium.

(3) The surcharge provided for in 3-1-317 may not be imposed for a violation of 61-8-303.

(4) The recordkeeping restrictions provided in subsection (2) with respect to a person's driving record do not apply to a speed limit violation or conviction that was committed by:

(a) a Montana resident in another state whose violation or conviction was reported to the department by a court or the licensing authority in the state in which the violation occurred; or

(b) a person who holds a commercial driver's license regardless of whether or not the violation occurred while the person was operating a commercial motor vehicle.

(5) This section does not apply to the violation of a special speed zone established under 61-8-309 or 61-8-310."

{ Internal References to 61-8-725:

61-11-203 }"

Renumber: subsequent sections

- END -